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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,906	01/25/2001	Matthew Bruce Tropper		5001

7590

01/29/2003

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Plainview, NY 11803

EXAMINER

NGUYEN, TAM V

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,906

Applicant(s)

TROPPER, MATTHEW BRUCE

Examiner

Tam V Nguyen

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-15 are pending in this office action. Claim 1-15 are presented for examination. This office action is in response to the filing dated 01/25/01.

Claim Objections

2. Claims 1, 6, and 11 are objected to because of the following informalities:

In claim 1, lines 4 recites "generation 1" and lines 8 "generation 2" for the purpose of examination, the examiner has considered "generation 1" and "generation 2" as first generation and second generation. Applicant(s) is/are advised to amend the claim to solve the objection set forth in the claim.

In claim 6, lines 5 recites "generation 1" and lines 9 "generation 2" for the purpose of examination, the examiner has considered "generation 1" and "generation 2" as first generation and second generation. Applicant(s) is/are advised to amend the claim to solve the objection set forth in the claim.

In claim 11, lines 5 recites "generation 1" and lines 10 "generation 2" for the purpose of examination, the examiner has considered "generation 1" and "generation 2" as first generation and second generation. Applicant(s) is/are advised to amend the claim to solve the objection set forth in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rivette et al. (US 6339767B).

With respect to claims 1, 6, and 11, Rivette discloses retrieving the document under test from the database, (col. 25, lines 5-51).

Rivette does not clearly show, "Storing as generation 1 data identifying data corresponding to each reference cited in the document under test." However, Rivette shows the client document storage and retrieval module (708) in the client (304), (306) (Fig. 7) displays the text and images received from the document storage and retrieval module (408) in the enterprise sever (314). Thus, the storage and retrieval module allows the user to retrieve documents and to store documents. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include storage and retrieval module as taught in Rivette, so the search results can be stored as generation 1 data in the database as the user wish.

Rivette further discloses retrieving from the database each available reference identified by the identifying data stored as generation 1 data, (after the search results stored in a database, the storage and retrieval module allows the user to retrieve the generation 1 in the database, (col. 25, lines 5-51); and storing as generation 2 data identifying data corresponding to each reference cited in the references identified by the generation 1 data, (again, the storage and retrieval module allows the user to store as generation 2, col. 25, lines 5-51).

As to claims 2, 7, and 12, receiving from a user an identification of the document under test, (col. 27, lines 7-16).

As to claims 3, 8, and 13, applying rule-based filtering to the stored identifying data, (col. 99, lines 64-col. 100, lines 15).

As to claims 4, 9, and 14, displaying the stored identifying data to the user, (col. 28, lines 45-59).

As to claims 5, 10, and 15, wherein the document under test is a patent, (col. 29, lines 5-13 and see fig. 55).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nomura et al. (Us 5828375) shows information-processing unit for automatically building work environment for holding information necessary to reflect activities carried out in work environment.

Schneider (US 6442549B1) shows method, product, and apparatus for processing reusable information.

Contact Information

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam V Nguyen whose telephone number is (703) 305-3735. The examiner can normally be reached on 7:30AM-5: 00PM.

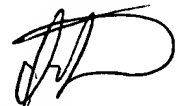
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Yen Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for formal communications and (703) 746-7240 for informal communications.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, Virginia 22202. Fourth Floor (Receptionist).

7. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

TV:tv

01/15/02


**JEAN M. CORRIELUS
PRIMARY EXAMINER**